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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/034,210	12/28/2001	Sean A. Bannon	706178US1	7765

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Ralph E. Smith
DaimleChrysler Intellectual Captial Corporation
CIMS 483-02-19
800 Chrysler Drive
Auburn Hills, MI 48326-2757

EXAMINER

SPISICH, GEORGE D

ART UNIT	PAPER NUMBER
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3616

DATE MAILED: 11/06/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/034,210

Applicant(s)

BANNON ET AL.

Examiner

George D. Spisich

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11-23 is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

The restriction requirement has been withdrawn. Accordingly, all of claims 1-23 will be examined.

Specification

The disclosure is objected to because of the following informalities:

There are inconsistencies with the specification and the claims. The collar that is claimed around the sleeve is called a trunion (70) in the specification.

Appropriate correction is required.

Claim Objections

Claims 1-23 are objected to because of the following informalities:

The collar around the sleeve is disclosed as a trunion (70) in the specification. This inconsistency adds to the confusion of the claimed subject matter.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims 1, lines 9 and 10 and claim 7, line 12 are unclear. There is claimed a rod disposed between the column members and received by a sleeve. This rod is not disposed between the upper and lower members as claimed.

In claim 7, lines 16-17 are unclear. The pivot shaft does not limit axial movement of the rod WITHIN the shaft. The rod does not move within the shaft. Therefore it is unclear to claim that the phrase "limit axial movement of the rod within the shaft".

In claim 10, lines 1-2 are unclear. It is unclear to claim that the pivot shaft has an interference fit with the pivot shaft (itself).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 and 3-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Snell (USPN 6,167,777).

Snell discloses an articulated, tiltable steering column for a steering wheel, the column having an upper steering wheel column member (12), a lower stationary steering column member (10), a pivot connection (14) between the upper and lower column members allowing the steering wheel to be tiltably adjusted about the pivot connection to selected positions of adjustment.

Snell discloses a locking mechanism for retaining the upper and lower column members in selected positions of adjustment, the locking mechanism including a rod (18) disposed between the upper and lower column members (as shown by Applicant's invention), the rod received by and slidable along a longitudinal axis within a sleeve (29), the rod and sleeve including a longitudinal slot formed therein for receiving a shaft (24).

Snell discloses a collar (25) journaled around the sleeve (29) and the sleeve including diametrically opposed slots (27) arranged so as to equally align and form a continuous passage therethrough for receiving the shaft. The shaft limits axial movement of the rod and limits rotational movement of the rod within the sleeve by the opposing slots. The opposed slots are formed perpendicular to the longitudinal axis of the sleeve. The pivot shaft further extends through the collar journaled to the sleeve. A

biasing member (42) is secured at a first end to a mounting portion extending from the sleeve and secured at a second end by the collar. In this instance, "by" is defined as "near". Snell shows the second end secured by/near the collar. The biasing member provides a rotational bias on the sleeve.

The biasing member creates a load transmitted by the second end of the collar and generally carried by the shaft.

The outer diameter of the shaft is substantially equal to the diameter of the diametrically opposed bores. The shaft provides an interference fit with the diametrically opposed bores.

The mounting portion of the first end of the biasing member includes a snap ring (50) journaled around the sleeve.

Allowable Subject Matter

Claims 11-23 are allowed.

Prior Art does not show a method of installing a tiltable steering column including a step of specifically positioning a collar around a sleeve and rod and rotating the collar to increase the bias of the arrangement and wherein each of the collar and sleeve include bores to accept a pivot shaft

Claim 2 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Prior art does not show the tiltable steering column having a collar that is retained at a first end by an annular wall from the sleeve and retained at a second end by a nut threadably received by the sleeve.

Conclusion


The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Nolte (USPN 4,796,481), Kinoshita et al. (USPN 4,900,059), Arvidsson (USPN 5,035,446), Milton (USPN 5,172,576), Fevre et al. (USPN 5,178,411), Yamaguchi (USPN 5,409,261), Oxley et al. (USPN 5,439,252), Sugiki et al. (USPN 5,848,557), Masucci (USPUB 2003/0172766).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George D. Spisich whose telephone number is (703) 305-6495. The examiner can normally be reached on Monday to Friday 6:00-3:30 except alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on (703) 308-2089. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-1113.

Gds
October 28, 2003

 11/31/03
PAUL N. DICKSON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600